



State of Idaho

DEPARTMENT OF WATER RESOURCES

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SOUTHERN REGION

Memorandum

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

To: Busman Dairy Complaint

From: John Freitag, Water Resource Agent

Re: Research

Date: 01/29/01

On January 23rd I met with John Busman at Busman Dairy located in T08S, R16E, S07, SWSW, SESW. John showed me the locations of his three wells and told me the wells were all connected. I GPS'd the wells (see attachment) and found two are in the SWSW of S07 (house well and barn well) and one is in the SESW of S07 (pump-house well). The only well which has a water right recorded with IDWR is the house well, water right #36-10640. Water right 36-10640 has been partially decreed for domestic use limited to 1/2 acre of irrigation and 13,000 gallons per day. There appears to be a recording error for 36-10640 since the POD and POU both list SESW of S07 and it should be the SWSW of S07. The barn well was drilled in 1988 under drilling permit #36-88-S-034. The pump-house well was drilled in 1994 under permit #36-94-0052-00.

The "domestic" definition was last modified in 1995. The modification prevents the use of multiple domestic exemptions for uses requiring a water permit. **This section does not prevent multiple domestic uses established prior to 1995 on the same property.** It does prevent stacking of multiple domestic exemptions to establish a new development that by itself would need a water right. Since all three wells were established prior to 1995 it is conceivable that each well has the ability to pump up to 13,000 gallons per day.

The Dairy spreadsheet attached shows a breakdown of the current water requirements at the Busman Dairy. The total consumptive use is approximately 35.6-acre feet per year based on the numbers John Busman gave me. Household use and lawn irrigation accounts for approximately 1.2-acre feet per year. The

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combined total of all the uses at the Busman Dairy is approximately 36.8-acre feet per year. The three domestic wells combined could use up to 39,000 gallons per day, which calculates to approximately 43.7 acre feet per year.

Pending that the animal numbers given are accurate and there are no other uses to be accounted for, it would appear that the Busman Dairy is currently operating within accordance with IDWR's requirements.

It should also be noted that John Busman has submitted an application for transfer with IDWR to obtain water for commercial and stockwater use.